IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.2688 OF 2005

Jitendra Dineshchandra Shah ...Applicant
Vs.
State of Maharashtra ...Respondent

Shri Konde-Deshmukh, A.P.P. for the Respondent.

CORAM : A.M. KHANWILKAR, J.
DATE : DECEMBER 02, 2005.

P.C.:

1. By this Application, the Applicant prays that the fine amount imposed by the Court below be reduced and be brought below sum of Rs.5 lacs. It is not possible to accept this request.

2. In the first place, the Applicant has not challenged the order of conviction and sentence passed by the Trial Court dated 27th/28th August, 2001 in MCOC Case against the Applicant. Copy thereto is placed on record alongwith the letter-Application of the Applicant.

3. The learned A.P.P. is right in submitting that in any case the fine amount cannot be reduced because if the conviction was to prevail the fine could not be less than Rs.5 lacs which is the minimum amount as awarded by the lower Court. Hence, there is no substance in the Application.

4. Application dismissed in above terms.

5. Copy of this order be forwarded to the Applicant, as present Application is filed through Jail.

A.M.KHANWILKAR, J.